RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

(*a*) Yes.

(*b*) 22-3-1935.

(*c*) Action is being taken to give effect to the recommendation of the High Court.

Applications for license under the Newspapers Regulation.

171 *MR. S. J. NAIR (*Nedumangad*): Will the Government be pleased to state:

(*a*) how many existing newspapers and periodicals have applied for fresh licenses after the passing of the Amendment Regulation;

(*b*) what are the papers and periodicals and who are the applicants: and

(*c*) what action or actions have been taken upon those applications?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) to (*c*). The information asked for is of a confidential nature and cannot, therefore, be furnished.

Standardisation of Salaries.

172 *MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Will the Government be pleased to state, with reference to the recent Government Proceedings on Standardisation of Salaries of the employees of the Secretariat:

(*a*) the names of the Short-hand Reporters attached to the Secretariat in 1109 and their salaries; and

(*b*) the names of Short-hand Reporters attached to the Secretariat after the Standardisation now effected and their salaries?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*):

			Salary.
(*a*) 1.	S. Govindaswami Aiyar	...	Rs. 100
2.	T. S. Kameswara Sarma	...	„ 80
3.	N. Sreenivasa Rao	...	„ 80
4.	P. Narayana Aiyar	...	„ 70
5.	K. Mahadeva Aiyar	...	„ 70
6.	S. Ramasubramonia Aiyar	...	„ 65
7.	S. Simon	...	„ 50
8.	P. Surianarayana Aiyar (Temporary.)	...	„ 40

(*b*) The question of nomination is under consideration

VOTING ON DEMANDS FOR GRANTS (*contd.*)

DEMAND V—GENERAL ADMINISTRATION—LEGISLATIVE BODIES (*contd.*)

PRESIDENT: We will now resume the discussion on the Demands for Grants. The House was discussing Demand V—General Administration—Legislative Bodies. The remaining motions on the agenda

LIBRARY ARCHIVES Kerala Legislative Assembly

have been carefully examined by me and I find that almost every one of those motions is unfortunately inadmissible. The only motion which I shall allow to be discussed would be No. 480 on the distinct understanding that, if, in the course of discussion, any points are raised which are not germane to the functions of the Legislative Bodies, I shall have to rule further discussion out of order.

Motion No. 480.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) Sir, I beg to make the following motion :

"To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1.

My object in making this motion is to discuss the working of the Legislative Bodies for which this amount is asked for. Sir, the working of the Legislative Bodies in the State is the most important item that deserves the serious consideration of this House. Legislative Bodies are institutions of very great importance. If they are properly worked, they will be a source of very great strength to the Government: if they are not properly worked, that will be a source of very great danger too. That is the reason why, when the old Legislative Council, the forerunner of this Assembly, was first opened, His Highness in his message stated that he is "trying a constitutional experiment of very great magnitude."

The functions of the Legislative Bodies are, mainly, the right for questions and answers, the consideration of the budget, the legislative business, the right to move resolutions and so on.

With regard to the right of questions, that is, so far as the questions and answers portion of the work of the Legislative Bodies is concerned, my submission is that they are not doing the work entrusted to them or are expected from them properly. If the members of this Assembly have a right to send questions 12 days before the date on which the meeting is to be held, that means all questions which were sent 12 days before the date of the meeting have to be answered, if the President is of opinion that they are admissible under the rules. The Assembly Secretary is bound to include in the list of business for the day all the questions which have been admitted by the President. I shall read Article 39 of the Sri Mulam Assembly Manual.

"Questions which have not been disallowed shall be entered in the list of questions for the day and shall be called, if the time made available for questions permits, in the order in which they stand in the list, before any other business is entered upon at the meeting."

So, if a question has been sent 12 clear days before the date of the meeting and if it has been allowed by the President as an admissible question, the duty of the Secretary is to enter it in the list of business Here we find it is mandatory also. It is said here "..... ....the Secretary shall."

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : May I ask one question ? Is it the opinion of the member that the Government are entering all these questions in the agenda ?

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I have to remind the Law Member there are certain things to be scrutinised before admitting a question. That is what Government have to do and—

PRESIDENT: The honourable member does not seem to understand the constitution of this House.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): That is not my point Sir.

PRESIDENT: The Government are not entering into the picture at all. I would resent the interference of Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): No, Sir; it is the President that should admit the questions. After entering such questions in the list of business for the day and if the Government member says that he had not got sufficient time to prepare answers therefor, he can ask for further time.

PRESIDENT: That is entirely within the discretion of the President. How does Government come in?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): When the members are allowed to ask questions which are sent in time and which are admitted by the President, it is not left to certain members of the Government to withdraw the questions altogether from the list of business and deny the non-official members an opportunity to ask the questions. It is the right given to the members to ask questions. Government may say that, though the statutory time has been complied with, they want further time to furnish answers. Here we want to elicit certain information from Government. It is left to the particular member who sends a question to ask the same on any day on which there is time and, provided the President allows it. Here, we are not given any chance like that.

I suppose, Sir, with your experience of Legislative Bodies, elsewhere that is the procedure prevailing. Here we do not know what has happened to the questions which were printed and circulated. As a matter of fact, I may say, Sir, I have repeated a question for 10 sessions during five years. That was a very simple question and no answer has been received from Government till now. That is the helpless condition in which the members are at present.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I know whether that question was included for answering?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): No.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Then, what is the complaint against Government?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): The complaint is against the way in which the Legislative Bodies are working, because the Secrteary does not enter it in the list of business.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Does the member agree that the Government are not at fault?

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : They are directly not at fault. But they are at fault in the way in which they are countenancing the action of the Secretary.

PRESIDENT : Order, order.

It has been made quite distinct and clear, in the ruling that I gave yesterday, that the token motions which have been tabled under Legislative Bodies could raise for consideration only points which are germane to the Legislative Bodies. If, on the other hand, the intention of any honourable member was to criticise the action of Government in treating the Legislature in the way in which it is alleged to be, not respecting their views, not giving them facilities for putting questions and eliciting answers, if these were going to be the charges that are to be raised by any member of the House, the proper time and place for them was when the General Administration Demand was under discussion. The House has every right to censure Government for any misdeeds on their part, for any sins of commission or omission. Now, we are merely dealing with the Demand to keep the Legislative Bodies working. This, I say, is not the vehicle, this is not the place when members of the House should get up and condemn Government. Government is not before the House. It is the Legislative Bodies that are now before the House. The question is whether the Demand should be sanctioned or not. If it is to be sanctioned, how the Legislative Bodies should continue to function ; if it is not, what should happen to the Legislative Bodies ; these are the questions now before the House. As I said, I would allow honourable members to proceed with the discussion and if, in the course of the discussion, I observe any censure on the Government and side-tracking the issue, then I shall have to rule the motion out of order.

I shall allow Mr. Asan another five minutes more to explain his points, and, if, in the course of further discussion I see the same tendency, I will rule the motion out of order.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : A word of explanation. The President might have noted that it was not I who introduced the word 'Government' in any part of my speech. I was side-tracked by the interrogation of the Law Member.

PRESIDENT : In spite of that, you ought not to have been distracted.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : Anyway, I did not raise that word. I was only saying that the Legislative Bodies as at present functioning are not doing their work properly, because the work transacted here does not include all the work which they are entitled to transact under the rules. That is what I was saying. And the way in which the questions are answered, that—

PRESIDENT : I had anticipated this difficulty. Now, if the Legislative Bodies are not functioning properly, it is due to one of the two reasons. Either, they are not efficient, or they are not given facilities by Government. I do not think the honourable member is going to accept the former alternative. He must therefore harp upon the latter.

LIBRARY ARCHIVES Kerala Legislative Assembly

[President.]

If he is going to harp, then it will be practically censuring Government. But I say that motion cannot be allowed on the Demand for Legislative Bodies. That motion should have been moved when the General Administration Demand was under discussion. I therefore emphasise that I should perhaps have to rule this motion as inadmissible.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, may I submit one point. I am only emphasising that we are helpless.

PRESIDENT: The Chair is quite willing to come to the rescue of those honourable members who admit they are helpless. But at the same time, it is to be recognised that rules of discussion have to be obeyed, the rules of procedure have to be obeyed and we have to try, as far as possible, to create the convention quite in keeping with similar conventions obtaining in other parliamentary body in the world. A motion of this description in any other Legislative Body would have claimed prominence when a Demand was made for continuing the Government All the strictures which the honourable members want to produce could be produced on that Demand. But now let me ask the House to remember that this is a Demand which is intended for a different purpose *viz.*, to keep the Legislative Bodies going on. On this motion, you cannot drag in Government and say that they are not doing their duty properly. If that is your feeling, you have the right to say so but; be it remembered, at a different time, on a different occasion. Having missed that, whose fault is it? I cannot allow you now to make up the lost ground and resume your attack. That, of course, is not quite the right thing to do. And this is not the Grant under which something else can be done.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I may be permitted to submit one point. In this Demand we cannot say anything which will be considered as a censure against the Government. We cannot move anything which will be a censure upon the non-official members of this House as was suggested yesterday in the ruling of the President. I do not know whether we can move anything which will affect both the parties together. Under the circumstances, may I know what is the particular kind of discussion that we can carry on under the present motion?

PRESIDENT: You had a particular kind of discussion on the floor of the House last evening which was permissible. You can speak in regard to certain improvements, but not in the nature of a censure motion on Government. In discussing that, you may make certain matters clear. That will be certainly permissible; but not anything in the nature of censure on the part of Government.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): My point is that this Rs. 55,000 is not well spent.

PRESIDENT: That is quite true. I say you have every right to discuss the question that the Government is not enabling you to carry

LIBRARY ARCHIVES Kerala Legislative Assembly

on your duty and that the sum that is now sanctioned is a waste. That should be the line of argument. I again repeat that that is not your attitude. You ought to have censured Government when the General Administration Demand was under consideration. But you have missed that. I know that you are in a very difficult position. I also know that you must have been under the impression that you could enter into a general discussion of all the acts of commission and omission of Government. That, as I say, is not permissible.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : It is my considered opinion that, if the legislative bodies would not function properly to the benefit of the people, they do not deserve to exist.

PRESIDENT : That is left to you.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : That is why I say that, if the Legislative Bodies are not given sufficient opportunities to discuss matters which vitally affect the interests of the country, as I submitted before, it will be more dangerous to the State as a whole than a support. That is my submission.

PRESIDENT : That is what you state. As President, I am to see that all the discussions that take place here are within the four corners of the rules. That is my duty. I hope that a particular token motion becomes relevant only if it comes under a particular Demand to which it relates and I should say that that is being followed everywhere else in other Legislative Bodies.

MR. A. S DAMODARAN ASAN (*Mavelikara*) : To quote Pandit Nehru, these Legislative Bodies are the biggest platforms of the country, that is the rostrums from which the Government on the one side and the representatives of the people on the other side could express their views so as to reach every section of the people and convince them of the correctness or otherwise of their respective positions. As observed in the message to which I have alluded, that is the place at which the Government officials and the representatives of the people are to work in harmony, exchange their views and create mutual confidence. The Legislative Bodies must be worked with this object in view. Otherwise, it will be rather very difficult for those who occupy the Treasury Benches as well as those who occupy the Benches on this side of the House to discharge their duties to the benefit of the State.

PRESIDENT : With all the dexterity and ingenuity which you have brought to bear in trying to bring the motion within the four corners of the rules, I still remain unconvinced. I cannot allow you to enter into a discussion on this demand which is not certainly relevant. Therefore I have no hesitation in ruling this motion as inadmissible.

Motions Nos. 481 to 491.

The following motions were not moved as they were not admissible :—

MR. K. KUNJUKRISHNA PILLAI :

481. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. S. J. NAIR :
482. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1.

MR. S. J. NAIR :
483. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1

MR. K. SANKARAN :
484. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1.

MR. R. SAMBASIVA AIYAR :
485. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1.

MR. S. NILAKANTA PILLAI :
486. To reduce the total allotment of Rs. 55,000 under Demand V by Rs. 10.

MR. S. THIRAVIAM NADAR :
487. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1.

MR. A. EASWARA PILLAI (*Kalkulam II*) :
488. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1.

MR. A. EASWARA PILLAI (*Kalkulam II*) :
489. To reduce the total allotment of Rs 55,000 under Demand V by Re. 1

MR. A. THANU PILLAI :
490. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1.

Motion No. 491.

The following motion was not moved as a similar motion was discussed on the previous day :—

MR. E. V. KRISHNA PILLAI :
491. "To reduce the total allotment of Rs. 55,000 under Demand V any Re. 1"

Motions Nos. 492 to 496.

PRESIDENT : Here is a typical instance of what ought not to have come under this head, "to protest against the exclusion of members of the Assembly from Fee Concession meetings." The Education Budget was before the House. It has had its full four hours of discussion. This very question came up, a number of questions were asked and supplementary questions as well and yet the Honourable Member who has sent up this motion thought that it was quite germane to the Legislative Budget. This is a typical motion which could not be allowed.

The object of Motion No. 493 is "To bring to the notice of Government the desirability of summoning the Assembly at regular intervals and other matters connected therewith". Honourable members need not be told that the Government have nothing to do with it.

Motion No. 494 is intended "To point out the urgent necessity to make supplementary rules and amendments in the existing rules for the purpose of giving full effect to the consitution." This is entirely a matter in the hands of the individual members. If any of the Honourable Members feels that there is some rule or standing order which needs amendment nothing prevents him from moving an amendment to that effect.

The next motion is "To point out the ineffectiveness in the working of the Legislature to meet the needs of the people". We have had it already.

LIBRARY ARCHIVES Kerala Legislative Assembly

Motion No. 496 is "To point out the necessity of holding more sessions of the Legislative Bodies and thereby prevent the congestion of Legislative business on the agenda." That again is entirely a matter for the President to decide.

Thus we see that these cut motions have all been tabled with the intention eventually from the movers' point of view in some form or other to criticise the action of the Government which they imagine in any way interferes with the free transaction of the business in the House. I will reiterate that these matters ought to have been discussed under General Administration Demand and not under a special demand. This is a special demand for a sum of Rs. 55,000 for the purpose of carrying on the Legislature and nothing more than that. Therefore there remains nothing more under this grant except to put it to the House.

The following motions were therefore not moved as they were inadmissible :—

MR. E. V. KRISHNA PILLAI :

492. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1.

MR. POTTAYIL S. KRISHNA PANICKAR :

493. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1.

MR. N E. VARUGHESE :

494. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1.

MR. N. E. VARUGHESE :

495. To reduce the total allotment of Rs. 55,000 under Demand V by Re. 1.

MR. PACODE A. NARAYANA PILLAI :

496. To reduce the total allotm nt of Rs. 55,000 under Demand V by Re. 1.

Demand No. V—General Administration—Legislative bodies for Rs. 55,000 was put to the vote of the House and carried.

The Demand was passed and the grant was made.

DEMAND VI—GENERAL ADMINISTRATION—ACCOUNT OFFICE.

MR. C. S. KRISHNASWAMI AIYAR (*Ag. Financial Secretary to Government*) : Sir, I move for a grant not exceeding Rs. 1,84,981 under Demand VI—General Administration—Account Office.

Motion No. 497.

MR. K. SANKARAN (*Kartikapalli I*) : Sir, I move:—

"*To reduce the allotment of Rs. 3,000 for Inspector of Municipal Accounts, by Re. 1.*"

The object of my motion is to point out that Municipal accounts are not satisfactorily inspected and that several cases of misappropriations are not found out. Municipalities in the State are a sort of self-governing institutions managed by non-officials in the State. As distinct from the Government institutions, these Municipalities are subject to a good deal of handicap. In the case of Government institutions, they

LIBRARY ARCHIVES Kerala Legislative Assembly